



June 12, 2023

Re: IEN Report on Stream Restoration

Dear Mr. Mayor, Madam Vice Mayor, City Council members and City Manager,

The EPC supports the conclusions of the IEN report including:

- A.** minimal impact to ecology of the streams and surrounding area while still achieving the result of protecting the sanitary sewer and manhole cover;
- B.** collaborative work with EPC's rep(s) and other interested stakeholders on the statement of work for contractors who perform the work; and
- C.** a check in with EPC rep(s) and interested stakeholder reps during the design process at 30, 60 & 90% design steps and during implementation process as well as before rehab work is started and after construction is complete for input.

We also provide the following lessons learned and future recommendations to save time and money:

1. The Washington metro area has a great number of highly qualified, experienced facilitators and thus they should be preferred over those who require nearly all meetings to be virtual. The parties need to comply with Virginia's open meeting rules that allows only 25% virtual meetings.
2. Before hiring an intermediary, the City should consult with interested stakeholders about the City's reasons for the hiring to determine if all parties agree they are necessary to resolve the issue. The parties should try to agree on the party selected.
3. If the parties agree to involve an unbiased intermediary, the parties should work together using a City facilitator on the basic process ground rules for the contracted facilitator such as how often to meet, regular or irregular meeting schedule, how many virtual or in-person or hybrid meetings, objectives, metrics and outcome goal(s).

The EPC based its conclusions on the following information covering the process and substance of the City's stream restoration projects:

1. The purpose of state Stormwater Local Assistance Fund (SLAF) grant was to reduce pollution to Chesapeake Bay and help meet Alexandria's Total Maximum Daily Load (TMDL) pollution reduction requirements by 2028.¹

¹ See link: [https://www.deq.virginia.gov/water/clean-water-financing/stormwater-local-assistance-fund-slaf#:~:text=The%20Stormwater%20Local%20Assistance%20Fund%20\(SLAF\)%20provides%20matching%20grants%20to,reducing%20water%20quality%20pollutant%20loads.](https://www.deq.virginia.gov/water/clean-water-financing/stormwater-local-assistance-fund-slaf#:~:text=The%20Stormwater%20Local%20Assistance%20Fund%20(SLAF)%20provides%20matching%20grants%20to,reducing%20water%20quality%20pollutant%20loads.)

2. State DEQ granted \$2.25 million if matched by \$2.25 Million from the City for Taylor Run along with \$800,000 from DEQ if matched by \$1 million from the City for Strawberry Run. ***Resulting in a total required of \$3.25 million from the City in order to obtain the \$3.05 million from the State.***²
3. EPC opposed the projects largely because we questioned whether the extensive scope was necessary ***based upon the City's own annual TMDL reports to DEQ.*** These indicated other **already funded projects** including redevelopment projects such as Landmark and North Potomac Yard as well as the RiverRenew project of Alex Renew would generate almost enough pollution credits to reach the mandated 2028 totals. In the spirit of compromise, the EPC offered up Lucky Run³ and its credits to meet ***AND EXCEED*** the 2028 pollution credits required.⁴
4. The City selected IEN to serve as intermediary between the EPC and Community without any consultation with the EPC or other stakeholders prior to their being hired and their charter and role as intermediary could have been improved by:
 - A. The discussion process slowed because of the difficulty of facilitating conversations virtually with IEN based in Charlottesville. A locally based contractor would have allowed in-person or virtual meetings as chosen by the stakeholders.
 - B. There was no regular meeting schedule and thus many meetings did not have enough advance warning to avoid conflicts with stakeholders and some scheduled during EPC regular meeting times meaning EPC reps could not contribute.
 - C. The intermediaries did not follow simple facilitator/mediator rules observed by past City facilitators during City Council retreats. Instead, they came with their agenda and process and thus we spent too much time in conflict with a party brought in to RESOLVE conflict.⁵ We do not recommend the City use this group in the future.

The EPC looks forward to continuing to working with the City to protect our valuable natural resources along Strawberry and Taylor Runs while protecting our vital infrastructure at the same time.

Sincerely,

Kathie Hoekstra
EPC Chair

² See City documents on SLAF grants provided at EPC meetings and other community meetings

³ In addition, no nearby Lucky Run residents raised concerns during any City or EPC meetings about the proposed redevelopment of Lucky Run.

⁴ See slide 16 of the City's presentation to the EPC held on January 24, 2022. Council viewed this slide during the April 27 meeting; however, the City failed to post any presentation materials associated with this meeting.

⁵ "Group facilitation is a process in which a person who is acceptable to all members of the group, substantially neutral, and has no decision-making authority intervenes to help a group improve the way it identifies and solves problems and makes decisions, in order to increase the groups' effectiveness." See ROGER M SCHWARZ, THE SKILLED FACILITATOR (1994) page 4.